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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 10/813,988 | 03/31/2004 | Takeshi Ishikawa | SHM-15395 | 6088 |
| 40854 | 7590 | 08/17/2004 | EXAMINER | |
| RANKIN, HILL, PORTER & CLARK LLP 4080 ERIE STREET WILLOUGHBY, OH 44094-7836 | | | STRIMBU, GREGORY J | |
| | | | ART UNIT | PAPER NUMBER |

3634

DATE MAILED: 08/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|------------------------|---------------------|----|
| Office Action Summary | Application No. | Applicant(s) | |
| | 10/813,988 | ISHIKAWA ET AL. | |
| | Examiner | Art Unit | |
| | Gregory J. Strimbu | 3634 | NW |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____. |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>3/31/04</u> . | 6) <input type="checkbox"/> Other: ____. |

Specification

The disclosure is objected to because of the descriptions for figures 7A to 7F and 15A to 15F are inadequate since each individual figure has not been separately described. It is suggested that the applicant describe each figure to avoid confusion.

Appropriate correction is required.

Claim Objections

Claim 5 is objected to because "put against" is grammatically awkward and confusing. Appropriate correction is required.

Claim Rejections - 35 USC § 112

Claims 1-6 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Recitations such as "an extending portion" on lines 1-2 of claim 4 render the claims indefinite because it is unclear if the extending portion is part of the other portions set forth in claim 1 or is in addition to the other portions set forth above. Also see "an inner surface of the windowpane" on line 2 of claim 4 which suffers from the same problem.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shiraishi in view of Shimizu. Shiraishi, in figures 2 and 6, discloses an automotive windowpane support structure comprising a windowpane 1 mounted vertically movably along at least one of front and rear sash portions 14 of an automobile door, a body exterior part 9 mounted to the sash portion in opposed relation to an outer surface of the sash portion and being flush with the windowpane, an inner guide 18 mounted to the sash portion in opposed relation to the body exterior part, an outer guide 16 mounted to an inside surface of the body exterior part in opposed relation to the inner guide, a rail member comprised of the inner guide and the outer guide, and a slider 2, 17 movable along the rail member, the slider having a side portion thereof protruding from the windowpane, wherein the outer guide supports the protruded side portion of the slider and the inner guide supports other portions than the side portion of the slider so that the slider is restricted in movement in automobile longitudinal and transversal directions. Shiraishi is silent concerning bonding the slider to the windowpane with an adhesive.

However, Shimizu, in figure 6, discloses a automotive windowpane support wherein a slider 6 is bonded to an inner edge surface of the windowpane 2 with an adhesive 62.

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It would have been obvious to one of ordinary skill in the art to provide Shiraishi with an adhesive, as taught by Shimizu, to more securely attach the slider to the windowpane.

Claims 5 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shiraishi and Shimizu as applied to claims 1-4 above, and further in view of Barbero. Barbero discloses a support structure wherein an inner guide 6 has a seal 7 which is put against an extending portion 5, the seal 7 and the guide 6 are integrally formed together.

It would have been obvious to one of ordinary skill in the art to provide Shiraishi, as modified above, with a seal, as taught by Barbero, to increase the ease with which the extending portion slides relative to the guide.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Royse, Kobrehel et al., Heim et al., Okada et al., Keys et al., Nishikawa et al., Mesnel et al., Herliczek et al., Watanabe et al., Blankenburg et al., Mariel, Hasler et al. and Motonami et al. are cited for disclosing an automotive windowpane support structure.

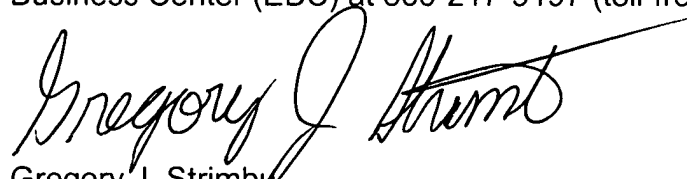
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory J. Strimbu whose telephone number is 703-

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305-3979. The examiner can normally be reached on Monday through Friday 8:00 to 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lanna Mai can be reached on 703-308-2486. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read "Gregory J. Strimbu", is written over the printed name and title.

Gregory J. Strimbu
Primary Examiner
Art Unit 3634
August 5, 2004